U.S.S.N. 10/037,417

Applicant(s): Kekuda et al.

This listing of claims will replace all prior versions, and listings, of claims in the application:

## **Listing of Claims**:

- 1-4. (canceled)
- 5. (currently amended) An isolated nucleic acid molecule comprising a nucleic acid sequence encoding a polypeptide at least 95% identical to the amino acid sequence comprising an amino acid sequence selected from the group consisting of:
  - (a) a mature form of an amino acid sequence selected from the group consisting of SEQ ID NOS:2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 26, 28, 40, 42, 44, 46, and 198;
  - (b) a variant of a mature form of an amino acid sequence selected from the group consisting of SEQ ID NOS:2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 26, 28, 40, 42, 44, 46, and 198, wherein one or more amino acid residues in said variant differs from the amino acid sequence of said mature form, provided that said variant differs in no more than 15% of the amino acid residues from the amino acid sequence of said mature form;
  - (c)—an amino acid sequence selected from the group consisting of comprising SEQ ID NOS:2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 26, 28, 40, 42, 44, 46, and 198;
  - (d) a variant of an amino acid sequence selected from the group consisting SEQ ID NOS:2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 26, 28, 40, 42, 44, 46, and 198, wherein one or more amino acid residues in said variant differs from the amino acid sequence of said mature form, provided that said variant differs in no more than 15% of amino acid residues from said amino acid sequence;
  - (e) a nucleic acid fragment encoding at least a portion of a polypeptide comprising an amino acid sequence chosen from the group consisting of SEQ ID NOS:2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 26, 28, 40, 42, 44, 46, and 198, or a variant of said polypeptide, wherein one or more amino acid residues in said variant differs from the amino acid sequence of said mature form, provided that

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said variant differs in no more than 15% of amino acid residues from said amino acid sequence; and

- (f) --- a nucleic acid molecule comprising the complement of (a), (b), (c), (d) or (e).
- 6. (original) The nucleic acid molecule of claim 5, wherein the nucleic acid molecule comprises the nucleotide sequence of a naturally-occurring allelic nucleic acid variant.
- 7. (original) The nucleic acid molecule of claim 5, wherein the nucleic acid molecule encodes a polypeptide comprising the amino acid sequence of a naturally-occurring polypeptide variant.
- 8. (currently amended) The nucleic acid molecule of claim 5, wherein the nucleic acid molecule differs by a single nucleotide from a nucleic acid sequence selected from the group consisting of comprising SEQ ID NOS:1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, and 197.
- 9. (canceled)
- 10. (currently amended) The nucleic acid molecule of claim 5, wherein said nucleic acid molecule hybridizes under stringent conditions to a nucleotide sequence ehosen from the group consisting comprising SEQ ID NOS:1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, and 197, or a complement of said nucleotide sequence.
- 11. (canceled)
- 12. (currently amended) A vector comprising the nucleic acid molecule of claim 115.
- 13. (original) The vector of claim 12, further comprising a promoter operably-linked to said nucleic acid molecule.
- 14. (original) A cell comprising the vector of claim 12.

15-18. (canceled)

- 19. (original) A method for determining the presence or amount of the nucleic acid molecule of claim 5 in a sample, the method comprising:
  - (a) providing the sample;
  - (b) contacting the sample with a probe that binds to said nucleic acid molecule; and
  - (c) determining the presence or amount of the probe bound to said nucleic acid molecule,

thereby determining the presence or amount of the nucleic acid molecule in said sample.

- 20. (original) The method of claim 19 wherein presence or amount of the nucleic acid molecule is used as a marker for cell or tissue type.
- 21. (original) The method of claim 20 wherein the cell or tissue type is cancerous.
- 22-38. (canceled)
- 39. (original) A pharmaceutical composition comprising the nucleic acid molecule of claim 5 and a pharmaceutically-acceptable carrier.
- 40-41. (canceled)
- 42. (original) A kit comprising in one or more containers, the pharmaceutical composition of claim 39.
- 43-45. (canceled)

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- 46. (original) A method for determining the presence of or predisposition to a disease associated with altered levels of the nucleic acid molecule of claim 5 in a first mammalian subject, the method comprising:
  - (a) measuring the amount of the nucleic acid in a sample from the first mammalian subject; and
  - (b) comparing the amount of said nucleic acid in the sample of step (a) to the amount of the nucleic acid present in a control sample from a second mammalian subject known not to have or not be predisposed to, the disease;

wherein an alteration in the level of the nucleic acid in the first subject as compared to the control sample indicates the presence of or predisposition to the disease.

47. (original) The method of claim 46 wherein the predisposition is to a cancer.

48-49. (canceled)

- 50. (new) An isolated nucleic acid molecule comprising the nucleic acid sequence of SEQ ID NO:45.
- 51. (new) An isolated nucleic acid molecule consisting of the nucleic acid sequence of SEQ ID NO:45.
- 52. (new) An isolated nucleic acid molecule encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:46.
- 53. (new) An isolated nucleic acid molecule encoding a polypeptide consisting of the amino acid sequence of SEQ ID NO:46.
- 54. (new) An isolated nucleic acid molecule encoding a polypeptide comprising a mature form of the amino acid sequence of SEQ ID NO:46.
- 55. (new) An isolated nucleic acid molecule encoding a polypeptide consisting of a mature form of the amino acid sequence of SEQ ID NO:46.